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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,973	11/13/2003	Hemant M. Chaskar	061715-0381	6783

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EXAMINER
HUYNH, CHUCK

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
06/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/705,973	CHASKAR ET AL.
Office Action Summary	Examiner	Art Unit	
	CHUCK HUYNH	2617	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
>   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>29 April 2008</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,25 and 52-59</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1, 25, 52-59</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   The Art Unit location of your application in the USPTO has changed. To aid in

correlating any papers for this application, all further correspondence regarding this

application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

4/29/2008 has been entered.

Response to Arguments

1.   Applicant's arguments with respect to claims 1, 25, and 52-59 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. **Claims 1, 25 and 52, 53, 55-59, are rejected under 35 U.S.C. 103(a) as being unpatentable over Honkala et al. (WO 00/67514 (provided in IDS); hereinafter Honkala) in view of Bridgelall (US 7039027) in further view of Janise McNair, et al, "An Inter-System Handoff Technique for the IMT-2000 System," 2000, pp. 208-216; provided by Applicant as an NPL prior art; hereinafter McNair)**

Regarding claims 1, 25 and 59, Honkala discloses a method of controlling handover between a first technology network (WIO system / internal cellular communication network) and a second technology network (GSM system / external cellular communication network), comprising the steps of:

detecting, by mobile station, border information (Page 18, lines 5-13) in beacons (use of beacons is well known in the art) of access nodes of a first technology (in cell E) network (Figs. 1, 3-5; Abstract; Page 6, 14-26; Page 8-10); and

deciding, by a deciding unit/processor, on a handover procedure between the first and second technology networks based on the detected region information (Figs. 1, 3-5; Abstract; Page 6, 14-26; Page 8-10; Page 17, line 5 – Col 18, line 17).

Honkala discloses all the particulars of the claim except that the information being in beacons from access point. It is well known in the art and disclosed in Bridgelall that access points broadcast its information/identity in regularly scheduled beacons (Col 8, lines 57 – Col 9, line 10).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Bridgelall's disclosure to provide access point information.

Honkala in view of Bridgelall discloses all the particulars of the claim but is unclear about a memory for storing detected border information in beacons of a previous access node of the first technology network, to which the mobile was connected, and a deciding to handover using the detected border information in beacons of a current access node of the first technology network, to which the mobile node is connected.

However, McNair is used in combination to show the ability of storing detected border information in beacons of a previous access node of the first technology network, to which the mobile was connected, and a deciding to handover using the detected border information in beacons of a current access node of the first technology network, to which the mobile node is connected (Page 211, Section D).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate McNair's disclosure to provide inter-system handoff.

Regarding claim 52, Bridgelall discloses the method of claim 1, wherein the first technology is a Wireless Local Area Network and the second technology network is a cellular network (Abstract).

Regarding claim 53, Honkala discloses the method of claim 1, wherein the border information comprises information about regions of an area of the first technology network, wherein the regions comprise border regions of the area of the first technology network and non-border regions of the area of the first technology network (cell E with BTS(E) and its border boxed range: Page 19, lines 24-34).

Regarding claim 55, Honkala discloses the mobile node of claim 25, wherein the deciding unit, when deciding on the handover procedure, is configured to initiate the handover procedure (Col 17, lines 19-27).

Regarding claim 56, Honkala discloses the mobile node of claim 25, wherein the deciding unit, when deciding on the handover procedure, is configured to prepare the handover procedure (Col 17, lines 19-27).

Regarding claim 57, Honkala discloses the mobile node of claim 25, wherein the deciding unit, when deciding on the handover procedure, is configured to prepare and perform the handover procedure (Col 17, lines 19-27).

Regarding claim 58, Honkala discloses the mobile node of claim 25, comprising:

a movement detecting unit configured to detect information about a movement of the mobile node in the first technology network, wherein the deciding unit, when deciding on the handover procedure, is configured to initiate the handover procedure, is configured to initiate the handover procedure based on the detected border information

and movement information detected by the movement detecting unit (Col 17, line 5 –

Col 18, line 17).

2.   **Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over**

Honkala in view of Bridgelall in further view of Lobinger et al. (US 7039409;

hereinafter Lobinger).

        Regarding claim 54, Honkala in view of Bridgelall discloses all the particulars of

the claim but is unclear about the mobile node of claim 25, wherein the border

information comprises a border bit in the beacons, wherein the border bit indicates

whether an access point is placed at a border of the first technology network, and the

detecting unit is configured to detect the border bit.

        Even though it is known in the art that border cell identifier are represented by

bits and then are broadcasted in beacons. Lobinger does disclose the limitation wherein

the border information comprises a border bit in the beacons, wherein the border bit

indicates whether an access point is placed at a border of the first technology network,

and the detecting unit is configured to detect the border bit (border cell identifiers--in

bits-- used for informing mobile stations (Col 6, lines 21-36).

It would have been obvious to one ordinarily skilled in the art at the time of invention to

incorporate Lobinger's disclosure to provide representation of identifier for base

stations.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUCK HUYNH whose telephone number is (571)272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chuck Huynh

/Duc Nguyen/
Supervisory Patent Examiner, Art Unit 2617